

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2021-168-S

IN RE:)	
)	RESPONSE AND
Petition of the Office of Regulatory Staff)	REQUEST FOR
Requiring Condor Environmental, Inc. to)	APPROVAL OF
Verify Authorized Rates and Charges)	REFUNDS

Condor Responds to the petition of the Office of Regulatory Staff as follows:

- 1). All allegations not specifically admitted are denied.
- 2). Condor admits the allegations of paragraph 1.
- 3). As to paragraph 2, Condor admits it is a public utility, but its office is now located at 2089 Locust Hill Road, Greer, South Carolina (29651).
- 4). Condor admits the allegations in paragraphs 3, 4, 5, and 6.
- 5). As to paragraph 7, Condor admits the ORS provided the Commission a review on March 8, 2021, which included a review of Condor's rates and billing at the Rose Hill and Caledonia subdivisions.
- 6). Condor admits the allegations in 8 and 9.
- 7). Condor admits the allegations in paragraph 10 but also states that the only fee it currently charges residents of Rose Hill without Commission approval is the Rose Hill WW Fee, the pass-through fee for ECU's treatment service, which requires Commission approval under Order No. 2012-659.

8). Condor admits the allegations in paragraph 11 but would also show the Commission that the total overcharges in Rose Hill consist of \$73,619.90 in WW pass-through fees not approved as required by Order No. 2012-659 and \$5,502.00 in Condor Fees. The Condor Fee overcharges resulted from a brief period when Condor inadvertently overcharged the Rose Hill HOA \$2.50 per home from May to October of 2020 and \$2.00 per home from November of 2020 to January of 2021.

9). Condor admits the allegations in paragraphs 12 and 13.

10). Condor admits the allegations in paragraph 14 but would also show the Commission that the total overcharges in Caledonia consist of \$12,954.91 in WW pass-through fees not noticed as required by Order No. 2016-74, and \$555.00 in Condor Fees. The Condor Fee overcharges resulted from a brief period between May 22, 2020, and October 26, 2020, when Condor inadvertently charged the Caledonia HOA an additional \$0.50 per home.

11). Condor admits the allegations in paragraph 15.

12). The allegations in paragraph 16 require no answer, and Condor further responds that it notified its customers of the ECU pass-through increases, which they did not protest.

13). Condor admits the allegations in paragraph 17.

14). Condor admits the allegations in paragraphs 18 and 19 only to the extent they allege Condor inadvertently charged customers rates not approved or noticed according to Commission orders.

15). The allegations in paragraph 20 require no response.

16). In response to the allegations in paragraph 21, Condor states Order 2011-364 speaks for itself.

Furthermore, Condor requests the Commission approve the following actions:

17). Condor will refund overcharges of the “Condor Fee” in the Caledonia (\$555.00) and Rose Hill (\$5,502.00) subdivisions plus simple interest at 8.5% in two equal monthly installments through bill credits beginning with the billing cycle following the Commission’s order approving the proposal.

18). Condor requests the Commission approve *nunc pro tunc* the unnoticed or unapproved increases in the WW Fee in Caledonia and Rose Hill. Condor did not profit from these increases; they simply reflected ECU’s charges.

19). Condor also applies for permission to pass-through ECU’s charges without markup in the Rose Hill subdivision under the same conditions granted by the Commission in Order 2016-74 for the Caledonia subdivision, to wit: “Condor shall furnish [the] Commission and ORS with satisfactory proof of the basis for the adjustment and the billing method utilized prior to the proposed effective date. The Company shall furnish written notice to the Company’s customers affected by the adjustment thirty days prior to the proposed implementation of the new adjustment and advise them of the basis for the billing adjustment and its effective date”.

Having fully responded to the petition, Condor respectfully requests this Commission grant the following relief:

- I. Approve Condor’s proposal to refund overcharges of the Condor Fee in Rose Hill and Caledonia through bill credits in two installments with interest at the rate of 8.5% per year.
- II. Approve past charges of the WW Fee in Rose Hill and Caledonia *nunc pro tunc*.

- III. Allow Condor to pass through future increases of the WW Fee in Rose Hill according to the terms approved by the Commission in Order 2016-74 for Caledonia.

Respectfully submitted:

s/ Charlie Terreni

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